

Tuesday, Half-past 9 o'clock, a. m.
February 22d, 1848.

The Senate was called to order by the President.

The following Senators answered to their names :

Messrs. Abbott, Bourland, Brashear, Bache, Burleson, Clark, Cuny, Dancy, Gage, Grimes, Jewett, Fitzgerald, McRae, Navarro, Parker, Perkins, Phillips, Wallace, Williams, Williamson and Wootten.

Quorum present.

The Journal of the preceding day was read and adopted.

A message was received from the House of Representatives, informing the Senate that the House had passed

A bill to be entitled an act authorizing and requiring the County Courts to regulate roads, appoint overseers, &c.

Also, that the House had adopted a resolution of the Senate to employ some suitable person to take charge of the Capitol, furniture, &c., with an amendment.

On motion of Mr. Cuny, the vote taken yesterday, upon joint resolution making an appropriation for the payment of the pro rata pay due E. W. More, Post Captain, commanding late Texas Navy, under the provisions of an act of Congress of the Republic of Texas, approved 5th February, 1844, was reconsidered, and,

On motion of Mr. Williamson, the joint resolution was taken up and read, and passed by the following

Yeas—Messrs. Abbott, Bourland, Bache, Burleson, Clark, Gage, Jewett, Fitzgerald, Navarro, Perkins, Phillips, Williams, Williamson and Wootten—14.

Nays—Messrs. Brashear, Cuny, Dancy, Grimes, McRae, Parker and Wallace—7.

Mr. Perkins, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed, viz. :

A bill to be entitled an act to change the names of the counties of Cameron, Star and Webb ;

A bill to be entitled an act to amend an act to incorporate the Colorado Navigation Company.

Mr. Clark, chairman of the committee on the Judiciary, made the following report.

The Judiciary committee, to whom was referred "A bill to be entitled an act to authorize the issuance of land patents to assignees of executors, administrators, and guardians," have considered the same, and propose as an amendment, that the word "sheriffs" be inserted in the caption, before the word "executors." They recommend the adoption of the amendment, and herewith return the bill for the action of the Senate.

Mr. Clark, chairman of the committee on the Judiciary, also made the following report:

The Judiciary committee, to whom was referred "a resolution requiring them to enquire into the propriety and expediency of allowing persons holding legal certificates against the Government, who, from error, mistake or otherwise, may have located the same, and report by bill or resolution," have had the said resolution under advisement, and direct me to report the accompanying bill for the consideration and action of the Senate.

A bill to be entitled an act to authorize persons who have located lands through mistake, to float their claims or certificates and re-locate the same elsewhere.

Read first time.

Mr. Williams made the following report:

The committee of Conference appointed on the part of the Senate and House of Representatives, to take under consideration "A bill to be entitled an act authorizing persons who have received donation certificates under the provisions of an act granting lands to those who were in the battle of San Jacinto, and other battles, approved 20th December, 1837, to alienate said certificates and the lands acquired under them," have conferred upon and considered the same, and agreed that the Senate shall recede from its amendment, and let the bill pass as it came from the House of Representatives, and instructed us to

report the result of our conference to the Senate and House of Representatives, respectively.

WM. M. WILLIAMS,

Chairman on the part of the Senate.

WM. S. RAYNER,

Chairman on the part of the House of Representatives.

The Senate proceeded to the orders of the day.

A bill to be entitled an act to establish the Galveston and Red River Railway Company.

Read first time.

A bill to be entitled an act to provide for deductions from the salaries of Judges of the Supreme and District Courts, and District Attorneys of this State, who may neglect the performance of certain duties assigned them by law.

Read first time.

A bill to be entitled an act to require all Mayors and Records of incorporated towns and cities, to call a jury in the trial of causes, when the accused is subject under the law, to fine and imprisonment, or either.

Read first time.

Mr. Cuny offered the following resolution:

"Resolved, By the Senate, the other House concurring, that the two Houses of the Legislature meet in joint session in the Representative Hall, at 12 o'clock, M., on inst., to elect District Attorneys for the several Judicial Districts."

Mr. Williamson moved to fill the blank with Saturday "26th."
Carried.

The Resolution, as amended, was adopted.

Mr. Burleson, by leave, introduced a bill to be entitled an act for the relief of James P. Wallace.

Read first time.

Mr. Burleson moved to suspend the rule, that the bill might be read second time.

Lost.

A bill to be entitled an act to authorize Jacob F. Winfree to adopt Zachary Taylor Long, as his lawful child.

Read first time.

A bill to be entitled an act to define the boundaries of Walker county.

Read first time.

A bill to be entitled an act appropriating certain fines and forfeitures.

Read first time.

A bill to be entitled an act to amend an act creating the county of Polk, approved March 30th, 1846.

Read first time.

A bill to be entitled an act to define the boundaries of Comal County.

Read first time.

A bill to be entitled an act better defining the southern boundary line of Collin and Denton counties, and Northern boundary line of Dallas and Henderson counties.

Read first time.

A bill to be entitled an act for the relief of Thomas J. Stell.

Read first time.

Joint Resolution to validate the election of Mayor and Aldermen for the city of New Braunfels.

Read first time.

Mr. Phillips, Chairman of the committee on Education, made the following report:

The committee on Education, to whom was referred the bill to be entitled an act to incorporate the Berkley Academy, have had the subject under consideration, and ask leave to return the bill with amendments, which have been proposed by the President and Trustees of said company, and with these amendments, recommend the passage of the bill.

Amedments—In caption, strike out "Berkley," and insert "Montgomery,"

In sec. 1., 6th line, strike out "Berkley," and insert "Montgomery."

In sec. 2nd., 7th line, strike out "Berkley" and insert "Montgomery."

A bill to be entitled an act to amend an act entitled an "act for the relief of master builders and mechanics of Texas," approved January 23d, 1839.

Read first time.

A bill to be entitled an act to provide for ascertaining the public debt of Texas, together with the report of the committee on Finance, thereon; was read, and

On motion of Mr. Williamson, made the special order of the day for Thursday next.

Joint Resolution proposing an amendment to the Constitution of the State of Texas, together with the following report of the committee on the Judiciary thereon, was read.

Committee Room,
February 8th, 1848.

Hon. JOHN A. GREER,
President of the Senate:

The Judiciary committee have had under consideration "a Joint Resolution proposing so to alter the Constitution, as to throw the election of such officers as are now appointed by the Governor, by and with the consent of the Senate, or elected by joint vote of both Houses of the Legislature, to the people;" and have instructed me to report as follows:

1st. The committee cannot agree as to the Judges of the Supreme Court—part wishing to except them out of the proposed amendment; and a part thinking that they should be included.

2d. A majority of the committee propose that the Secretary of State be stricken out of said resolution, and that no alteration be made in the manner of supplying said office. A majority advise, also, that the proposition to include Notaries Public, be rejected.

3d. It is the opinion of a majority of the committee, that the election for District Judges should be confined to the respective districts, and they propose that amendment to the resolution.

Amended as proposed, the majority of the committee approve the resolution and recommend its passage.

EDWARD CLARK, Chairman.

Mr. Perkins moved to lay the report upon the table.

Lost.

On motion of Mr. Phillips, the report was adopted, and

On motion of Mr. Clark, the Joint Resolution was laid upon the table until to-morrow.

A bill to be entitled an act to incorporate the city of LaVaca, together with the report of the committee on the Judiciary

thereon, proposing amendments; was read; report adopted, and bill passed to a third reading.

A bill to be entitled an act regulating attachments, together with the report of the committee on the Judiciary thereon, was read, and

On motion of Mr. Wallace, made the special order of the day for Friday next.

Mr. Gage offered the following resolution:

"Resolved, That the committee on contingent expenses be instructed to contract for the printing of copies of the captions of all of the laws, which have or may be passed at the present session of the Legislature, for the use of the Senate, to be ready for delivery immediately on the final adjournment of the present Legislature."

Mr. Gage moved to fill the blank with 1100.

Carried, and

Resolution as amended, adopted.

A bill to be entitled an act providing for the sale of the property belonging to the State of Texas, formerly used by the late Government for Custom purposes, together with the report of the Committee on the Judiciary thereon, offering amendments, was read; report adopted, and bill passed to a third reading.

On motion of Mr. Williamson, a bill to be entitled an act to create the county of Caldwell, was taken up, and read third time, and passed by the following vote.

YEAS—Messrs. Bourland, Brashear, Bache, Burleson, Clark, Cuny, Dancy, Gage, Jewett, Fitzgerald, Navarro, Parker, Perkins, Phillips, Wallace, Williams, Williamson and Wooten—18.

NAYS—None.

On motion of Mr. Bourland, the Resolution of the House, relative to going into the election of a Commissioner of the General Land Office, was taken up.

Mr. Jewett moved to amend the resolution by striking out "Saturday 26," and inserting "Monday 28."

Carried, and

Resolution as amended, adopted.

On motion of Mr. Williamson, a bill to be entitled an act to

allow set off's in certain cases, was taken up, and read third time.

Mr. Brashear moved to adjourn until 9 o'clock to-morrow morning.

Lost.

Mr. Brashear moved a call of the Senate, and the Sergeant at Arms was dispatched after absent Senators.

On motion of Mr. Jewett, the call was dispensed with.

On motion of Mr. Brashear the call of the Senate was renewed.

On motion of Mr. Clark, the call was dispensed with.

Mr. Brashear moved to lay the bill upon the table for one day.

Lost.

Several amendments being proposed to the bill, Mr. Williamson called for the previous question, upon which the yeas and nays were called, and stood thus:

YEAS—Messrs. Abbott, Bache, Burleson, Clark, Gage, Jewett, Fitzgerald, Navarro, Perkins, Williamson and Wootten—11.

NAYS—Messrs. Bourland, Brashear, Cuny, Daney, Grimes, McRae, Parker, Phillips, Wallace and Williams—10.

The yeas and nays were then called on the final passage of the bill, and stood as follows:

YEAS—Messrs. Abbott, Bourland, Bache, Burleson, Gage, Jewett, Fitzgerald, Navarro, Perkins, Phillips, Williams, Williamson and Wootten—13.

NAYS—Messrs. Brashear, Clark, Cuny, Daney, Grimes, McRae, Parker and Wallace—8.

So the bill passed.

A bill to be entitled an act for the relief of those persons having promissory notes of the Government, that have been cancelled by A. A. M. Jackson, as agent, &c., which said promissory notes have not been funded nor redeemed, together with the report of the committee on Finance thereon, was read, and

On motion of Mr. Williamson, laid upon the table until Friday next.

Mr. Parker, chairman of the committee on Claims and Accounts, made the following report:

The committee on Claims and Accounts, to whom was re-

ferred a bill for the relief of David F. Webb, have had the same under consideration, and a majority of the committee have instructed me to report. That an act was passed by the Congress of the Republic of Texas, and approved 14th January, 1840, for the relief of said Webb, and that he has not received the full benefit of said act, and that there is yet due said Webb the amount of four hundred dollars.

Your committee submit for the action of the Senate the following amendments :

Strike out all after the enacting clause, and insert the following ; "That the Comptroller be, and he is hereby authorized and required to audit and allow David F. Webb, the amount of four hundred dollars, as follows : one hundred dollars due 10th March, 1848, and one hundred dollars annually thereafter, and that the Treasurer is hereby required to pay the same.

Be it further enacted, That the sum of two hundred dollars be, and the same is hereby appropriated for the payment of the two first instalments, and that this act take effect from and after its passage.

On motion of Mr. Burleson, the Senate adjourned until 9 o'clock to-morrow morning.

Wednesday, 9 o'clock, a. m.
February 23d, 1848.

The Senate was called to order by the President—the following Senators answered to their names :

Messrs. Burleson, Clark, Dancy, Gage, Grimes, Jewett, Fitzgerald, McRae, Navarro, Parker, Perkins, Phillips, Wallace, Williams, Williamson, and Wootten—quorum present.

The Journal of the preceding day was read and adopted.

Mr. Burleson presented the memorial of Henry Austin, which was read, and,

On motion of Mr. Burleson, referred to the committee on Internal Improvements.

A message was received from His Excellency the Governor, presenting a communication in writing, which was read.